# California Wildlife Protection Act of 1990 Programmatic Accomplishments and Expenditures Fiscal Year 1992-93

#### **INTRODUCTION**

In June of 1990, the voters of California passed Proposition 117, the California Wildlife Protection Act of 1990, commonly referred to as Proposition 117, or the Mountain Lion Initiative. The Act states that "...there is an urgent need to protect the rapidly disappearing wildlife habitats that support California's unique and varied wildlife resources."

To assure the preservation of unique habitat, the Act created the Habitat Conservation Fund; required an annual transfer of \$30 million into the Fund until the year 2020; and specified how the monies were to be expended for the purpose of acquiring habitat necessary to protect wildlife and plant populations, especially deer, mountain lions, and rare, endangered, threatened or fully protected species, wetlands, riparian and aquatic habitat.

The Act requires the State Controller to transfer \$30 million from the General Fund, less 10 percent of the funds in the Unallocated Account in the Cigarette and Tobacco Products Surtax Fund, less any other special funds that can be transferred into the Habitat Conservation Fund. In addition, the Act specifies how the funds are to be appropriated and expended.

Specifically, the Act appropriates \$4.5 million to the Department of Parks and Recreation (DPR). Of this amount, \$1.5 million shall be expended on projects that are located in the Santa Lucia Mountain Range in Monterey County; \$1.0 million shall be expended for acquisitions in, and adjacent to units of the state park system; and the remaining \$2.0 million shall be used for 50 percent matching grants to local agencies for projects meeting requirements of the Act as well as, for the acquisition of wildlife corridors and urban trails, nature interpretative programs, and other programs designed to bring urban residents into park and wildlife areas.

In addition, the Act specifies that \$4.0 million shall be appropriated to the California Coastal Conservancy (CCC); \$10.0 million to the Santa Monica Mountains Conservancy (SMM), until July 1, 1995; \$500,000 to the California Tahoe Conservancy (CTC); and the balance of the fund, or \$11.0 million to the Wildlife Conservation Board (WCB). After July 1, 1995, the WCB is designated as the recipient of the \$10.0 million that will no longer be appropriated to the SMM. The Act also requires that all agencies receiving money from the Fund report to the WCB on or before July 1 of each year the amount of money that was expended and the purposes for which the

funds were expended.

#### **EXPENDITURE REQUIREMENTS**

To assure critical habitat is acquired, Section 2786 of the Act specifies that funds are to be expended on (a) the acquisition of habitat, including native oak woodlands for the protection of deer and mountain lions; (b) the acquisition of habitat to protect rare, endangered, threatened, or fully protected species; (c) the acquisition of habitat for Significant Natural Areas, (d) the acquisition, enhancement, or restoration of wetlands; (e) the acquisition, enhancement, or restoration of aquatic habitat for spawning and rearing of anadromous salmonids and trout resources; and, (f) the acquisition, restoration, or enhancement of riparian habitat.

Further complicating the expenditure requirements, the Act requires that over a 24-month period, to the extent practicable, expenditures should be made to achieve the following: (1) that 1/3 of the total expenditures are to be made for acquisitions of habitat necessary to protect deer and mountain lions; and the remaining 2/3 of the expenditures shall be made for acquisitions of habitat to protect rare, endangered, threatened, or fully protected species; (2) that \$6.0 million be expended on the acquisition, restoration, or enhancement of wetlands, and \$6.0 million be expended on the acquisition, restoration, or enhancement of aquatic and riparian habitat, and (3) that 50 percent of the expenditures be made in Northern California and 50 percent of the expenditures be made in Southern California.

In addition to the above mentioned requirements, the Act specifies that to the extent practicable, all agencies expending funds should utilize the services of the California Conservation Corps and local community conservation corps. Further, the Act requires that any state or local agency that acquires land shall prepare, with full public participation, a management plan designed to reasonably reduce possible conflicts with neighboring land uses and landowners, including agriculturists.

#### REPORTING REQUIREMENTS

As previously stated, the agencies that have been appropriated funds are required to report to the WCB on or before July 1 of each year; however, the Act does not require the WCB to prepare an expenditure report, nor any type of report that summarizes how all of the funds were expended. Recognizing the sensitivity of this program and the interest that has been expressed by various constituent groups, the WCB believes a brief summary of how the funds were expended would be informative.

To facilitate the understanding of how funds were expended in relation to the complicated spending requirements, it is important to keep in mind that, with the exception of those monies appropriated directly to WCB, the WCB has no authority or influence over how the funds allocated to other agencies are expended.

Secondly, while the expenditures can be summarized into the six major habitat categories identified in the Act, i.e. Section 2786 (a), (b), (c), (d), (e), and (f), many of the expenditures qualify for more than one of the program elements or habitats as defined in the program.

For example, \$1.0 million could be expended for purposes of acquiring 50 acres to protect deer and mountain lions as defined in Section 2786 (a). That same 50 acres; however, may provide quality habitat for a rare, threatened or fully protected species, as defined in Section 2786 (b).

Herein lies one of the major difficulties in reporting how funds are expended. To the extent possible, expenditures were reported for an individual and unique habitat that met one of the definitions of Section 2786. However, in several cases, the same funds were reported as expenditures for multiple types of habitat that met more than one of the definitions of how funds could be expended. Because of the identified multiple wildlife benefits, the reporting of funds by specific categories becomes more complicated.

Natural ecosystems are made up of a multitude of plants, animals, birds, reptiles, insects, etc., interacting with the natural elements as a whole system. Consequently, it is to be expected that some habitat acquisition or restoration efforts will contain more than one defined program element. When acquiring or restoring land, a parcel will be classified for a primary habitat value. Since natural areas are rarely monotypic, a second or even third program element may be present and will appropriately be given credit under the program.

#### HABITAT CONSERVATION FUND EXPENDITURES

As previously mentioned, the Act specifies that over a 24-month period, 1/3 of the total expenditures are to be made for acquisitions of habitat necessary to protect deer and mountain lions; and the remaining 2/3 of the expenditures shall be made for acquisitions of habitat to protect rare, endangered, threatened, or fully protected species. As reported by the WCB in prior year reports, \$59.6 million was appropriated for the acquisition, restoration or enhancement of critical wildlife habitat for Fiscal Year 1990-91 and 1991-92. Of the funds appropriated, \$47.2 million was expended.

For Fiscal Year 1992-93, the third year for which these funds were available, \$29.8 million was appropriated to all participating entities. Of this amount, 81 percent or \$24.2 million was expended to acquire, restore, and/or enhance critical habitat throughout California.

To better understand the accomplishments that were achieved from the expenditure of Habitat Conservation Fund monies, Table 1 summarizes the type and number of acres that were protected and the dollars that were expended to protect and/or enhance these acres. In addition, Table 2 summarizes the expenditures that were made by each of the participating entities and purpose for

which the expenditures were made. Table 3 provides a summary of habitat acres protected since 1990.

Table 1
Type of Habitat Protected
1992-93
(\$ in 000s)

	Deer & Lion Habitat	Rare & Endang Species	Signif. Natural Areas	Wetland Habitat	Aquati c Habita t	Riparian Habitat	Urban Trails	Habitat Links
Funds Expend	\$5,725	\$11,730	\$525	\$6,085	\$1,471	\$5,590	\$10,526	\$3,820
Acres Protect	5,454	10,958	436	29,604 1/	6,904	16,814	9,361	2,371

1/Approximately 20,000 acres of this habitat includes rice fields that have been enhanced through the use of rice rollers to benefit wintering waterfowl.

Table 2
Agency
Habitat Protection Expenditures
1992-93
(\$ in 000s)

Agency	Deer & Lion Habitat	Rare & Endang Species	Signif. Natural Areas	Wetland Habitat	Aquati c Habita t	Riparian Habitat	Urban Trails	Habitat Links
SMMC	1,358	7,810		217		521	8,665	1,636
ссс	200	2,009		758	28	1,861	1,861	1,470

WCB	1,524	892	525	4,563	1,204	1,611		674
DPR	2,398	896		547	232	1,472		40
СТС	245	123			7	125		
Total	\$5,725	\$11,730	\$ 525	\$6,085	\$1,471	\$5,590	\$10,526	\$3,820

Table 3
Type of Habitat Protected
1990 to Present
(\$ in 000s)

	Deer & Lion Habitat	Rare & Endang Species	Signif. Natural Areas	Wetland Habitat	Aquati c Habita t	Riparian Habitat	Urban Trails	Habitat Links
Funds Expend	\$16,975	\$29,311	\$3,481	\$13,267	\$8,158	\$9,037	\$29,423	\$16,829
Acres Protect	10,393	17,707	5,749	75,422	6,908	17,605	18,300	10,140

As previously mention, the Act also requires that 50 percent of the funds be expended in Northern California and 50 percent in Southern California, as defined. For FY 1992-93, the data reported reflects that \$11.5 million was expended in Northern California and \$12.6 million was expended in Southern California, reflecting almost a 50-50 split.

While the data reflects an almost 100 percent compliance with the 50-50/ North, South split provision, participating entities did not do as well with respect to the provision that specified, "to the extent practicable, ... all agencies expending funds should utilize the services of the California Conservation Corps and local community conservation corps". Of the fifty three projects that were reported, only six percent utilized the California Conservation Corps. This participation rate can be partially attributed to the nature of the projects that were reported. The majority of funds appear to have been expended on acquisitions. The acquisition process is not always compatible with the services provided by the California Conservation Corps.

Another interesting finding revealed that 60 percent of the reported projects were designed to bring urban residents into park and wildlife areas, and one provided funds for a nature interpretative center in Southern California.

While the data reveals that participating entities are complying, to the extent practicable, with the majority of the Act requirements, there is one provision that appears to be more difficult.

Specifically, Section 2794 requires that any state or local agency that manages lands acquired with funds appropriated from the fund shall prepare, with full public participation, a management plan for lands that have been acquired. Based upon the reported information, only 40 percent of the projects indicated that a management plan had been prepared.

It is important to note that while a total of \$24.1 million was expended from the Habitat Conservation Fund, these monies were used to match or leverage an additional \$13.0 million in other funds, for a total expenditure of \$37.1 million to acquire, restore and/or enhance critical habitat throughout California. To further understand how these funds were expended by each of the participating entities, the following section provides a summary of projects that were funded in FY 1992-93.

### **California Coastal Conservancy**

Funds Appropriated: \$4,000,000 Funds Expended: \$2,347,000

<b>Project Title</b>	<u><b>P-117 \$</b></u> (\$ in 000s)	Acres	<b>Location/County</b>
Tijuana Estuary 1/		300	520 San Diego Co.
Tijuana Watershed	18	2,250	San Diego Co.
Otay River <sup>2/</sup> Santa Margarita	1,468 200	5 mi. 750 mi.	San Diego Co. San Diego Co.
River Watershed <sup>3/</sup>			
Bolsa Chica Wetlands <sup>1/</sup>	138	1,309	Orange Co.
Black Lake Canyon 1/	85	1,500	San Luis Obispo Co.
Santa Rosa Creek	2	1 mi.	San Luis Obispo Co.
Moro Cojo Slough <sup>3/</sup> Huichica Creek	100 8	10,000 4,500	Monterey Co. Napa Co.
Watershed			
Camp Three Island 4/	10	1,448	Sonoma Co.
Bordessa Ranch <sup>4/</sup> Humboldt Dunes <sup>1/</sup>	10 8	250 80	Sonoma Co. Humboldt Co.

<sup>1/</sup> Restoration or enhancement project.

<sup>2/</sup> Acquisition and enhancement

<sup>3/</sup> Enhancement & Management Plan Development Costs

#### 4/ Appraisal Costs

In total, 21,857± acres and 756 square miles of habitat were protected, restored or enhanced with monies from the Habitat Conservation Fund. While the CCC expended \$2.3 million from the fund, these monies leveraged an additional \$1.9 million from other funding sources. In addition, all of the projects benefitted federally and state listed endangered species or endangered habitats, except for the Tijuana Watershed project which is a water quality improvement project. **Santa Monica Mountains Conservancy** 

Funds Appropriated: \$10,000,000 Funds Expended: \$9,584,000

Project Title	<b>P-117 \$</b> (\$ in 000s)	<u>Acres</u>	<b>Location/County</b>
Davidson Property	405	30	Los Angeles Co.
Branoon Property	367	273	Los Angeles Co.
Eastport Property	175	1,500	Los Angeles Co.
Paramount Phase II	5,000	314	Los Angeles Co.
Sage Ranch	1,184	625	Ventura Co.
Frawley Property	325	30	Los Angeles Co.
Randa Property	1,650	5	Los Angeles Co.
Hondo Canyon	28	20	Los Angeles Co.
Restoration Grant 1/	450	9	Los Angeles Co.

<sup>1/</sup> Habitat restoration in Santa Susana and Santa Monica Mountains.

In total, the Santa Monica Mountains Conservancy protected  $2,806\pm$  acres of diverse habitat for a total cost of \$12.7 million (\$3.1 million from other fund sources). The majority of these acquisitions will provide critical wildlife habitat corridors in the Santa Monica Mountains and Sage Hills. In addition, these acquisitions will protect habitat for threatened and endangered species such as the Golden Eagle, Peregrine Falcon, Ringtail cat, and a state-listed rare plant, the Santa Susana Tarweed.

## **Department of Parks and Recreation**

Funds Appropriated: \$4,500,000 Funds Expended: \$4,339,000

Project Title	P-117 \$ Location/County (\$ in 000s)	Acres	
State Park Projects:			
Anza-Borrego Desert	61	219	Riverside/San Diego
Co. Donner Memorial	695	461	Placer Co.
Millerton Lake/ Table Mountain	605	302	Fresno Co.
<b>Local Assistance Project</b>	ts:		
Mammoth Creek	400	24	Mono Co.
India Basin	150	5	San Francisco Co.
Grant Ranch	91	207	Santa Clara Co.
Seaside Wilderness	98	20	Ventura Co.
Sycamore Canyon	172	40	Riverside Co.
Bayfront Park	90	2	Santa Clara Co.
Hidden Springs	23	81	Riverside Co.
Pleasant Valley	150	602	Fresno Co.
Santa Clarita	304	50	Los Angeles Co.
Santa Lucia Mountain F Point Lobos Ranch 1/	<b>Project:</b> 1,500	1312	Monterey Co.

<sup>1/</sup> Acquired ground lease with incremental transfers of fee title.

In total,  $3{,}018\pm$  acres were acquired and/or enhanced by the DPR. The majority of projects provided 50 percent matching grants to local agencies, thus the Department was able to leverage the Habitat Conservation Funds and attract an additional \$2.3 million to protect and implement local resource protection projects.

#### **California Tahoe Conservancy**

Funds Appropriated: \$500,000 Funds Expended: \$500,000

Project Title	P-117 \$ Location/County (\$ in 000s)	Acres	
Cascade Creek Lakefront & Wildlife Habitat	\$500	36	El Dorado Co.

The \$500,000 appropriated to the California Tahoe Conservancy was combined with \$2.3 million in other funds to purchase  $36\pm$  acre lake side parcel located along Cascade Creek. The acquisition protects a rich diversity of habitat types including montane riparian, coniferous forest and montane chaparral. In addition the area has been mapped by the Department of Fish and Game as part of the summer range of the Carson River deer herd. In addition, over 84 percent of the 250 species in the Tahoe Basin depend on these types of diverse habitats for breeding foraging purposes.

# **Wildlife Conservation Board**

Funds Appropriated: \$10,835,000 Funds Expended: \$7,398,000

Project Title	<b>P-117 \$</b> (\$ in 000s)	Acres	<b>Location/County</b>
Mud Slough Wetlands	570	780	Merced Co.
Gilsizer Slough Salmon & Steelhead	640 1,199	264 1/	Sutter Co. North. Co.
Enhancement Projects			
Wetland Restoration	650	2/	North. Co.
Collins Lake WLA	20	105	Yuba Co.
Santa Margarita River	322	145	Riverside Co.
Allensworth Reserve	2	40	Tulare Co.
Hallelujah Junction	1,015	2,769	Sierra/Lassen Co.
Swall Meadows	752	160	Mono Co.
Gilsizer Restoration	195	264	Sutter Co.
Rice Rollers 3/	94	20,000	Glenn, Butte, Colusa, Sutter & Yolo Co.
Brood Water & Wetland	200	104	Glenn Co.
Enhancement			
Allensworth Reserve	53	197	Tulare Co.
Battle Creek	674	127	Tehama Co.
Sacramento River	300	45	Shasta Co.
Upper Butte Basin Stillbow Wetland	674 8	716 2,000	Glenn Co. Merced Co.
Enhancement Mud Slough Restoration	30	779	Merced Co.

<sup>1/</sup> Fish habitat restoration projects on 25 major streams and waterways.

In total, the WCB protected, restored and or enhanced 28,495± acres of critical habitat for the benefit rare, threatened or endangered species, significant natural areas and deer and mountain lion

<sup>2/</sup> Wetland restoration efforts on several state wildlife areas.

<sup>3/</sup> Rice rollers to enhance waterfowl habitat on 20,000 acres of rice land.

habitat. In addition, stream restoration projects were implemented on 25 major streams and waterways, and one ecological reserve was expanded.

Furthermore, the WCB expended a considerable amount of money to assist with implementing the Central Valley Habitat Joint Venture objectives designed to enhance waterfowl habitat on agricultural lands and enhance wetland habitat on public and private lands. One particular project, the rice rollers, while designed to enhance waterfowl habitat on agricultural lands, reflected a unique coalition of agricultural and environmental interests joining together to address a mutual area of concern. Specifically, the decomposition of rice straw and the importance of rice for migratory waterfowl.

#### **CONCLUSIONS**

Based upon the information and data provided to the WCB by the CCC, SMM, CTC, and the DPR, the Wildlife Protection Act of 1990 is protecting critical habitat in accordance with the provisions and requirements of the Act.

Collectively, rare, threatened and endangered species habitat received the major portion of the funds expended and significant natural areas appeared to be the most difficult area to protect. Information was not available to explain why more funds were not expended on significant natural areas, however, one possible explanation may be attributed to the difficulty of acquiring and protecting this type of habitat and the high per acre cost associated with significant natural areas.

Another interesting finding revealed that the \$24.2 million expended from the Habitat Conservation Fund was able to match or leverage an additional \$9.5 million from other fund sources. It is apparent that participating entities are forming partnerships with other public and private organizations to leverage their limited fiscal resources and maximize their protection efforts.